

AMENDMENTS TO THE DRAWINGS

Please replace the sheet of drawings of the original patent which includes Figure 3 with the attached sheet of drawings wherein Figure 3 has been amended so as to include the reference numeral 31 which refers to the suspension element accommodating opening in the hood portion of the housing 22.

REMARKS

Claims 1 through 48 remain in this reissue application. Claims 1 through 18 of the original patent remain unchanged. New claims 19 through 46 have been amended in response to the April 7, 2005 official action. New claims 47 and 48 have been added. Applicants note with appreciation the examiner's allowance of claims 1 through 26 and indication of allowability of the subject matter of claims 29, 33, 34 and 37 through 46.

Claims 19 through 46 have been amended so as to include underlining pursuant to 37 C.F.R. § 1.173(d). The addition of underlining is the only amendment being made at this time with regard to claims 19 through 26, 28, 34 through 36 and 38 through 46. It should be noted for the record that an appropriate preliminary amendment, which apparently was in full compliance with 37 C.F.R. § 1.173(d) with all new claims underlined, was submitted with the reissue application as filed on November 21, 2003. Subsequently, on May 19, 2004, the Office issued a Notice of Non-Compliant Amendment requiring the filing of an amendment in compliance with 37 C.F.R. § 1.121. Applicant responded to the May 19, 2004 Notice on May 26, 2004 by filing what is referred to in the action as "applicant's preliminary amendment June 1, 2004." All-in-all, the prosecution of this reissue application, which was filed on November 21, 2003, has been delayed considerably by these actions on the part of the Office which apparently improperly issued the Notice of Non-Compliant Amendment even though 37 C.F.R. § 1.121(i) clearly states that 37 C.F.R. § 1.173 applies to reissue applications. But, on the other hand, 37 C.F.R. § 1.173 is ambiguous in that it does not state definitively that only it applies to reissue applications and does not rule out the possibility that 37 C.F.R. § 1.121(c) might also apply. In any event, applicant respectfully requests expedited consideration of this application from this point on.

Claims 30, 31, 32, 40, 41 and 42 have been amended so as to eliminate the word "light" from before the word "housing" and claim 37 has been amended so as to add the word "on" before the word "an" in line 8 thereof. These amendments should obviate the examiner's objections set forth at pages 2 and 3 of the action.

Regarding the rejection of claims 27, 28, 30, 31, 32, 35 and 36 under 35 U.S.C. § 102(b) as being anticipated by the disclosure of Harrison, it is to be noted that claim 27 has been amended above so as to positively recite the inclusion of “a suspension member accommodating opening in an upper surface of said housing.” Clearly the Harrison reference neither discloses nor suggests structure which includes such an opening. Accordingly, independent claim 27, as well as claims 28, 30, 31, 32, 35 and 36 which depend therefrom, define patentably over the Harrison disclosure.

Previously allowed claims 29 and 33 have been amended so as to recite the subject matter thereof in a manner which is consistent with the amendments made in claim 27.

Compliance With Rule 37 C.F.R. § 1.173(c)

In addition to the statements made in the Preliminary Amendment filed with this reissue application on November 21, 2003, and the comments made above, the terminology “there being a suspension member accommodating opening in an upper surface of said housing” now appearing in claim 27 is clearly supported by the third full paragraph of claim 1 of the original patent and by the discussions regarding claim 27 set forth in the November 21, 2003 Preliminary Amendment. In addition, amended claims 29 and 33 are also clearly supported by the third full paragraph of claim 1 of the original patent and by the discussions regarding claim 27 set forth in the November 21, 2003 Preliminary Amendment.

Regarding claim 47, support for the terminology “decorative housing arrangement” is believed implicit and inherent in the original patent. In this regard, the examiner’s attention is directed to the disclosure of the original patent at Fig. 1 and col. 1, ll. 23-33 where it is made clear that the inventive device includes a housing 12 for covering and decorating a light assembly 22. Inherently the wall 24 shown in Fig. 1 and mentioned throughout the specification comprises an “upper segment” of the light assembly 22 and it is also clear from Figs. 1 and 2 of the patent that the housing 12 is supported by such upper segment. Inherently the housing 12 has an upper portion, and once again it is clear from Figs. 1 and 2 of

the patent that the upper portion of the housing is disposed above the light assembly. Manifestly the housing includes suspension element accommodating structure at said upper portion thereof in the form of the openings mentioned in the patent at col. 4, ll. 7-9 and in claim 1. It can also be seen from Figs. 1 and 2 that a plurality of decorating components are carried on an outer surface of the decorative housing.

Regarding claim 48, elongated suspension members 30 and an opening 31 for the forwardmost member 30 are shown in Fig. 3 as amended herein.

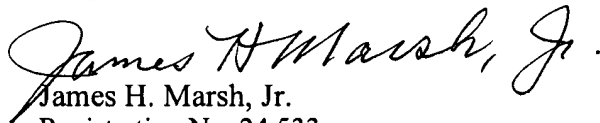
Additional Filing Fees for New Claims

One additional independent claim and two additional claims total have been added by the foregoing amendment. The additional filing fee for these new claims pursuant to 37 C.F.R. §§ 1.16(h) and (i) for a small entity is \$125.00 and this firm's check in such amount is enclosed.

Conclusion

In view of the foregoing amendments and remarks, it is submitted that this application is now in condition for examination. Accordingly, favorable action at an early date will be appreciated. If the examiner is of the view that any issue remains unresolved, it is respectfully suggested that applicants' undersigned attorney may be contacted at the telephone number set forth below.

Respectfully submitted,



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